IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.469 OF 1991
IN
SUIT NO.524 OF 1973

The MCGB — Plaintiff

versus

Shaikh Abdul Kadar Mohar Baksha and others — Defendants

and

Benu Abdul Gaffar @ Bashida Banu Abdul Gaffar Bantoji — Applicant

and

Feroz Jainuddin Mantra & anr. — Respondents

None present.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 5th June 2006

PC :

1. This Chamber Summons by the applicant seeks following reliefs :-

(a) For an order and Injunction restraining the Respondent no.1 from allotting the Room Nos.26, 26-A in the new erected building known as Gazal to any third person except the applicant.

(b) For a mandatory order directing the Court Receiver, High Court, Bombay to include the name of the applicant in the list of tenants of Gol Building.

(c) For mandatory injunction and order from this Hon'ble Court directing the respondent no.1 to allot the room no.26, 26-A in the re-erected building known as Gazal situate at 200, Belgrami Road, Kurla (East), Bombay 400 07, to the applicant.

(d) For costs of this Chamber summons

(e) For such other and further reliefs as the nature and circumstances of the case may require."

2. From the record it appears that the applicant was not party to the suit. The applicant seeks a declaration of tenancy with regard to some property on which plaintiff- decree holder claims to have his charge. None appears for the applicant. There is nothing on record to indicate that during this period any ad-interim orders have been passed. The claim for possession is also not substantiated. In these circumstances, Chamber Summons is dismissed. No order as to costs.

(S.C.DHARMADHIKARI, J.)